

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: FORSSMANN, et al.

Serial No.: 09/509559

Filed: April 14, 2000

International Application No. PCT/EP98/06547

International Filing Date 15 October 1998

For: CADHERIN DERIVED GROWTH FACTOR AND ITS USE

**DECLARATION UNDER 37 CFR § 1.47**

Assistant Commissioner  
of Patents  
Washington, D.C. 20231

Sir:

The undersigned attorney of record in the instant application does hereby declare and state:

1. That he is named as applicants' representative in the declaration of the inventors, submitted concurrently herewith.

2. That a *bona fide* attempt was made to obtain the signature of inventor Hossein Mostafavi on the declaration and power of attorney (hereafter "the declaration"), identifying the instant application by its PCT International Application No. and filing date, by sending via registered mail the aforesaid declaration, together with an assignment document, for execution to Hossein Mostafavi at his last known address on 7 June 2000. A copy of the translation of the letter of instruction, which accompanied the declaration, is attached hereto as Exhibit A.

3. That the aforesaid registered mailing, including the declaration, was returned as non-deliverable, marked "addressee unknown." Attached hereto, as Exhibit B<sub>1</sub>, is a copy of the face of the returned registered mailing envelope, of a type having a window through which the address on

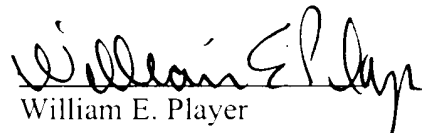
Serial No.: 09/509559  
Atty. Docket No. P65315US0

an enclosure appears (the grey area in the lower left portion of Exhibit B<sub>1</sub> represents the window). Attached hereto, as Exhibit B<sub>2</sub>, is a translation of information appearing on the envelope (Exhibit B<sub>1</sub>) Exhibit B<sub>3</sub>, attached hereto, is the envelope face as it appears in Exhibit B<sub>1</sub>, along with the translations of Exhibit B<sub>2</sub>, appropriately matched with the information appearing on the envelope.

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application of any patent issuing thereof.

Further declarant sayeth naught.

November 27, 2000  
Date

  
William E. Player  
Registration No. 31,409  
Attorney of Record

SME

Translation

From: Prof. Dr. Döhler, Haemo pep Pharma, Hannover  
To: Dr. Hossein Mostafavi, Hannover  
Date: June 7, 2000  
Re: U.S. Patent Application  
National phase from PCT Application PCT/EP 98/06547  
"Cadherin Derived Growth Factor and Its Use"

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Dear Doctor Mostafavi,

please find enclosed a letter from our patent attorneys with original forms for the U.S.A. (assignment and power of attorney).

Please sign the two forms in the presence of two witnesses who are also asked to sign.

Please return the signed documents to us at your earliest convenience.

Yours sincerely

(signature)

Prof. Dr. K.-D. Döhler

Encl.:

Copy of letter from patent attorneys of May 25, 2000

Assignment (original)

Power of attorney (original)

**EXHIBIT A**

04 7862 7909 30DE

Deutsche Post

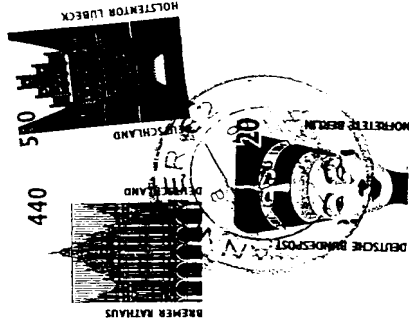
20.06.00

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<input type="checkbox"/> <small>Einseitig (Einseitig)</small>	<input type="checkbox"/> <small>Einseitig (Einseitig)</small>	<input type="checkbox"/> <small>Einseitig (Einseitig)</small>

(Stk 912 400 000)

Zurück  
28  
Reich

Deutsche Post



1. Name	
2. Adresse	
3. Ort	
4. PLZ	
5. Land	
6. Bemerkungen	

8166

EXHIBIT B<sub>1</sub>

Declaration- 37 CFR 1.47

sn 09/509559

SMB

Translation

"Returned envelope"

[Stamp of the "Deutsche Post"]:

Registered letter

Reply form

[Corresponding fields are marked with crosses]

[Date stamp]

June 20, 2000

[Stamp of the "Deutsche Post"]:

Addressee unknown

[Corresponding field is marked with a cross]

**EXHIBIT B<sub>2</sub>**

**Declaration- 37 CFR 1.47**

**sn 09/509559**

[Stamp of the "Deutsche Post"]:

R 04 7862 7909 30E

Deutsche Post

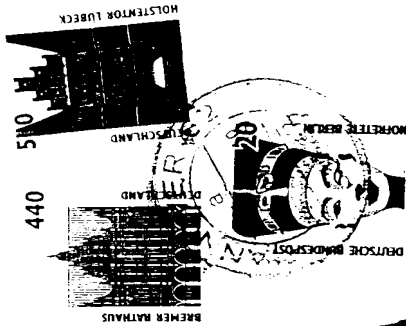
Registered letter  
Reply form

[Corresponding fields are marked with crosses]

<input type="checkbox"/> Brief Brief	<input checked="" type="checkbox"/> Übergabe Enregistrement (Recommandation)	<input type="checkbox"/> Eigenhändig (A remettre en main propre)
GK 912-888 000	<input type="checkbox"/> Nachnahme (Montepièces)	<input checked="" type="checkbox"/> Rückschein (AVIS de réception)

Zurück  
20  
Retour

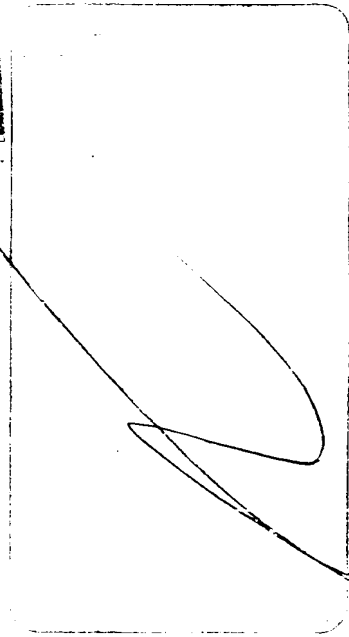
[Date stamp]  
June 20, 2000  
20 06 00



[Stamp of the "Deutsche Post"]:

Addressee unknown

[Corresponding field is marked with a cross]



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EXHIBIT B<sub>3</sub>

Declaration - 37 CFR 1.47

sn 09/509559